

§ 96.301

made at least biennially. Audits conducted biennially under the provisions of this subpart shall cover both years within the biennial period. OMB Circular A-128 provides detailed guidance on the conduct of organization-wide audits. Colleges and universities, hospitals, and other nonprofit organizations are required to follow this guidance in the conduct of audits made pursuant to this subpart.

[50 FR 32051, Aug. 8, 1985, as amended at 56 FR 50784, Oct. 8, 1991]

Subpart 96.3—Audits of Entities Not Covered by Either subpart 96.1 or subpart 96.2

§ 96.301 Purpose and scope of subpart.

This subpart prescribes the requirement for audit of grantees, contractors, subgrantees, and subcontractors that receive funds from DOL and are not covered by either subpart 96.1 or subpart 96.2.

§ 96.302 Audit requirement.

The Secretary of Labor is responsible for the survey, audit or examination of grantees/contractors and their subgrantees and subcontractors covered by this subpart. Such surveys, audits, or examinations shall be conducted at the Secretary's discretion.

Subpart 96.4—Access to Records, Audit Standards and Relation of Organization-wide Audits to Other Audit Requirements

§ 96.401 Access to records.

The Secretary, the DOL Inspector General, the Comptroller General of the United States, or any of their duly authorized representatives (including certified public accountants under contract), shall have access to any books, documents, papers, and records (manual and automated) of the entity receiving funds from the DOL and its subgrantees/subcontractors for the purpose of making surveys, audits, examinations, excerpts, and transcripts.

§ 96.402 Audit standards.

Surveys, audits and examinations will conform to the Standards for

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Audit of Governmental Organizations, Programs, Activities, and Functions, issued by the Comptroller General of the United States, and guides issued by the Secretary. For purposes of meeting audit requirements under subparts 96.1, 96.2 and 96.3, only the standards for financial and compliance audits need apply.

§ 96.403 Relation of organization-wide audits to other audit requirements.

To the extent that audits conducted in accordance with subpart 96.1 or subpart 96.2 provide DOL officials with the information needed to carry out their responsibilities under Federal law or DOL regulations, the Secretary shall rely upon and use the information. Additional audit efforts are not precluded, but such efforts must build upon the organization-wide audit and not duplicate it. The provisions of subparts 96.1, 96.2 and 96.3 do not authorize a covered entity, after having complied with those requirements, to constrain, in any manner, the Secretary from carrying out additional surveys, audits or examinations as deemed necessary.

Subpart 96.5—Audit Resolution

SOURCE: 53 FR 5967, Feb. 26, 1988, unless otherwise noted.

§ 96.501 Purpose and scope of subpart.

This subpart prescribes standards for resolution of audit findings, including, but not limited to, questioned costs and administrative deficiencies, identified as a result of the audit of grants, contracts and other agreements awarded by or on behalf of the DOL. In cases where these standards conflict with statutes or other DOL regulations, the latter shall be controlling. The DOL Office of Inspector General (OIG) is available to assist agencies in the audit resolution process.

§ 96.502 Pre-resolution phase activities.

(a) *Processing.* Direct recipients of DOL funds that are audited in accordance with the requirements of subpart 96.1 or subpart 96.2 shall submit copies of the audit report through the cognizant Federal agency if other than DOL with corrective action plans